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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,579	06/15/2005	Josephus Arnoldus Henricus Maria Kahlman	NL021436	9055

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P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

PHAM, TUAN

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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05/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/538,579

Applicant(s)

KAHLMAN ET AL.

Examiner

TUAN A. PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-2, and 4-11 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 03/21/2007 has been considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1, and 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Teraura et al. (U.S. Patent No.: 6,079,619, hereinafter, "Teraura").**

Regarding claim 1, Teraura teaches a portable radio-communication device comprising at least (see figures 3 and 4, Reader/Writer 13):

a display for displaying data (see figure 3, display 15 is displaying the information receives from the tag 3, col.4, ln.18-31),

a radio transmission/reception unit for transmitting a powering signal to a contactless chip associated with a main data carrier and for receiving a signal returned by said contactless chip, said returned signal carrying chip data relating to said main

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data carrier (see figures 1, 3 and 4, transmitter 22, receiver 23, tag 3, reader/writer 13, col. 3-5, ln.1-65),

a reading and/or writing unit for reading and/or writing data on said main data carrier (see figures 1, 3 and 4, memory 11, reader/writer 13, col. 3-5, ln.1-65),

modulation means for modulating said powering signal with device data so as to transmit said device data to said contactless chip, said powering signal providing power and said device data to said contactless chip (see figures 1, 3 and 4, memory 11, modulation 21, reader/writer 13, col. 3-5, ln.1-65), and

processing means for processing said chip data so as to execute at least one of the following actions (see figures 1, 3 and 4, MPU 16, reader/writer 13, col. 3-5, ln.1-65): displaying said chip data (see figure 3, display 15 is displaying the information receives from the tag 3, col.4, ln.18-31).

Regarding claim 4, Teraura further teaches transmit device data relating to a request for storing specific data in said chip (see col.3-4, ln.6-67, ln.1-17, price of sushi, kind of sushi are store on the memory), and transmit device data relating to a request for retrieving specific data stored in said chip (see col.3-4, ln.6-67, ln.1-17, price of sushi, kind of sushi are retrieved from the memory).

Regarding claim 5, Teraura teaches a storage unit comprising a main data carrier and a contact-less chip associated with said main data carrier, said contact-less chip comprising (see figure 1, IC chip, memory 11):

receiving means for receiving a powering signal sent by a portable radio communication device, the powering signal providing power to the contactless chip and being modulated with a device data (see figure 1, IC chip 2, coil antenna 2, col.3, ln.40-67, col.4, ln.1-67),

processing means, memory means, and transmitting means for executing of the following actions (see figure 1, IC chip 2, coil antenna 2, MPU 8, memory 11, col.3, ln.40-67, col.4, ln.1-67):

if said powering signal carries device data relating to a request for retrieving specific data stored in said memory means, transmitting said specific data (see col.3-4, ln.6-67, ln.1-17, price of sushi, kind of sushi are retrieved from the memory).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 2, 6-7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teraura et al. (U.S. Patent No.: 6,079,619, hereinafter, "Teraura") in view of Higashino et al. (Pub. No.: US 2002/0115410, hereinafter, "Higashino").

Regarding claim 2, after combine, Teraura disclosed invention and further discloses generate the powering signal, and demodulation means for demodulating said return signal so as to retrieve said chip data (see figure 4, demodulator 24, col.4, ln.1-34). Teraura fails to discloses generating a radio communication signal for communication over a radio communication network wherein said radio transmission/reception unit comprises: adaptation means for adapting the frequency of said radio-communication signal to an operating frequency of said contact-less chip. However, Higashino teaches such features (see figure 2, figure 3, the mobile phone 100 communicated with wireless network and IC card via 5.8GHz or 1.5GHz, [0050-0054]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Higashino into view of Teraura in order to read the information store on the IC card.

Regarding claim 6, Higashino further teaches said portable radio-communication device comprises a reading/writing unit for reading/writing data in said main data carrier when said main data carrier is inserted in said portable radio-communication device, and said specific data is a user-defined data input by a user via

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said portable radio-communication device, said user-defined data being intended to be used by said portable radio-communication device to authorize reading/writing on said main data carrier (see figures 2&3, IC card 3, reader/writer 131, slot 100c, [0050-0059]).

Regarding claim 7, Higashino further teaches said portable radio-communication device comprises a reading/writing unit for reading/writing data on said main data carrier when said main data carrier is inserted in said portable radio-communication device, said specific data being main data intended to be written in said main data carrier (see figures 2&3, IC card 3, reader/writer 131, slot 100c, [0050-0059]).

Regarding claim 11, Higashino further teaches a portable radio communication device (see figure 2, portable 100).

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Teraura et al. (U.S. Patent No.: 6,079,619, hereinafter, "Teraura") in view of Hino et al. (Pub. No.: US 2001/0011012, hereinafter, "Hino").

Regarding claim 8, Teraura disclosed invention, but fails to disclose a caddy in which said main data carrier is packed and said contact-less chip is embedded. However, Hino teaches such features (see figure 4, figure 7, figure 10, chip 4, caddy 7, tape 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hino into view of Teraura in order to improve handlability at suggested by Hino at col.1, [0012].

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8. **Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teraura et al. (U.S. Patent No.: 6,079,619, hereinafter, "Teraura") in view of Takemura (Patent No.: US 6,842,606).**

Regarding claim 9, Teraura teaches a method of manufacturing a storage unit, said method comprising the acts of (see figure 1):

providing at least program instructions on a contactless chip that comprises receiving means for receiving a powering signal carrying first data (see figure 1, figure 3, antenna 2 receive the power and data from the reader/writer 13 and store the data on the memory 11, col.3-4, ln.1-67), processing means (MPU 8), memory means (memory 11), and transmitting means for transmitting a signal carrying second data (MOD/DEMO 10 is transmit the retrieve data in the memory 11 to the reader/writer 13, col.3-4, ln.1-67), said powering signal providing power to said contactless chip and being modulated with said first data (see figure 1, figure 3, antenna 2 receive the power and data from the reader/writer 13), upon reception of a powering signal that carries a request for retrieving specific data stored in said memory means, returning a signal carrying said specific data (see col.3-4, ln.6-67, ln.1-17, price of sushi, kind of sushi are retrieved from the memory 11).

It should be noticed that Teraura fails to teach providing main data on a main data carrier, embedding said contactless chip in a caddy, and packaging said main data carrier in said caddy. However, Takemura teaches such features (see figures 1& 2, memory 210, case 106, col.4, ln.32-67, col.5, ln.1-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Takemura into view of Teraura in order to transfer data wirelessly.

Regarding claim 10, Teraura teaches a method of manufacturing a storage unit, said method comprising the acts of (see figure 1):

providing at least program instructions on a contactless chip that comprises receiving means for receiving a powering signal carrying first data (see figure 1, figure 3, antenna 2 receive the power and data from the reader/writer 13 and store the data on the memory 11, col.3-4, ln.1-67), processing means (MPU 8), memory means (memory 11), and transmitting means for transmitting a signal carrying second data (MOD/DEMO 10 is transmit the retrieve data in the memory 11 to the reader/writer 13, col.3-4, ln.1-67), said powering signal providing power to said contactless chip and being modulated with said first data (see figure 1, figure 3, antenna 2 receive the power and data from the reader/writer 13), upon reception of a the powering signal, returning data stored in said memory means and descriptive of said storage unit (see col.3-4, ln.6-67, ln.1-17, price of sushi, kind of sushi are return to the reader/writer 13).

It should be noticed that Teraura fails to teach providing main data on a main data carrier, embedding said contactless chip in a caddy, and packaging said main data carrier in said caddy. However, Takemura teaches such features (see figures 1& 2, memory 210, case 106, col.4, ln.32-67, col.5, ln.1-50).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Takemura into view of Teraura in order to transfer data wirelessly.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

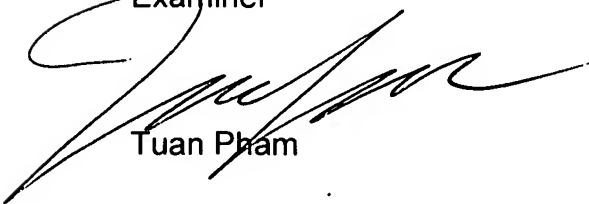
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618
May 2, 2007
Examiner



Tuan Pham

Supervisory Patent Examiner
Technology Center 2600



Matthew Anderson